

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILLIAM H. ANDERSON,	:	CIVIL ACTION NO.
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
STEP BY STEP, INC	:	
	:	
Defendant.	:	
	:	

DEFENDANT’S NOTICE OF REMOVAL

Defendant Step By Step, Inc., by and through its attorneys, Spector Gadon Rosen Vinci P.C., hereby removes this civil action bearing Docket No. August Term 2021, No. 001669 from the Court of Common Pleas of Philadelphia County, Pennsylvania to the United States District Court for the Eastern District of Pennsylvania pursuant to 28 U.S.C. § 1441 and 1331.

1. Plaintiff commenced his action in the Court of Common Pleas of Philadelphia County, Pennsylvania by filing a Civil Action Complaint (“Complaint”) on or about August 18, 2021. A copy of the Complaint is attached hereto as Exhibit “A” without admission or adoption.

2. Defendant, Step By Step, Inc. (“Step By Step” or “Defendant”), was served with a copy of Plaintiff’s Complaint on September 7, 2021. No further proceedings have occurred in this action.

3. Plaintiff’s Complaint alleges, *inter alia*, that Defendant “unlawfully terminated [Plaintiff’s] employment based on his national origin discrimination,

in violation of *Title VII* (42 U.S.C. §2000e, *et seq.*)” [Plaintiff’s Complaint, Exhibit “A”, ¶7].

4. Plaintiff’s claims are based, in part, on alleged violations of federal law as the only Count of the Complaint alleges violations of Title VII.

5. Because this action involves claims under Title VII, this Honorable Court has original jurisdiction pursuant to 28 U.S.C. § 1331 based upon the existence of a Federal Question and this action is subject to removal under 28 U.S.C. § 1441.

6. Pursuant to 29 U.S.C. § 1446(a), this Notice of Removal is filed in the United States District Court for the Eastern District of Pennsylvania, which is the District in which the State Action was filed and is presently pending.

7. This Notice of Removal is timely pursuant to 28 U.S.C. §1446(b) as it was filed within thirty (30) days after Plaintiff served Defendant Step By Step with the Complaint.

8. After filing this Notice of Removal, Defendant Step By Step will promptly serve written notice of this Notice of Removal on counsel for Plaintiff and file the same with the Prothonotary of the Court of Common Pleas of Philadelphia County in accordance with 28 U.S.C. § 1446(d).

WHEREFORE, Defendant, Step By Step, Inc., respectfully requests that the above-entitled action now pending in the Court of Common Pleas of

Philadelphia County, Pennsylvania be removed therefrom to this Court.

SPECTOR GADON ROSEN VINCI P.C.

By: *Nancy Abrams*
Jennifer Myers Chalal, Esquire (I.D. No. 77841)
Nancy Abrams, Esquire (I.D. No. 31089)
1635 Market Street, 7th Floor
Philadelphia, PA 19103
(215) 241-8894 / (215) 531-9154 (fax)
nabrams@sgrvlaw.com
jmyers@sgrvlaw.com

*Attorneys for Defendant,
Step By Step, Inc.*

Dated: September 27, 2021

CERTIFICATE OF SERVICE

I hereby certify that on this date I served the foregoing Notice of Removal on counsel for Plaintiff by causing true and correct copies thereof to be electronically filed with the Court and served by e-mail transmission on this 27th day of September, 2021 to the following counsel and interested parties of record:

Dennis L. Friedman, Esquire
1515 Market Street, Suite 1650
Philadelphia, PA 19102

Nancy Abrams

Nancy Abrams

EXHIBIT A

Court of Common Pleas of Philadelphia County
Trial Division
Civil Cover Sheet

For Prothonotary Use Only (Docket Number)	
AUGUST 2021 E-Filing Number: 2108035103 001669	
PLAINTIFF'S NAME WILLIAM H. ANDERSON	DEFENDANT'S NAME STEP BY STEP, INC.
PLAINTIFF'S ADDRESS 8803 CHESTER AVENUE APARTMENT 2 PHILADELPHIA PA 19142	DEFENDANT'S ADDRESS CROSS VALLEY COMMONS 744 KIDDER STREET WILKES-BARRE PA 18702
PLAINTIFF'S NAME	DEFENDANT'S NAME
PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS
PLAINTIFF'S NAME	DEFENDANT'S NAME
PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 1 COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions
AMOUNT IN CONTROVERSY <input checked="" type="checkbox"/> \$50,000.00 or less <input type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input checked="" type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other:
CASE TYPE AND CODE 1E - EMPLOYMENT, WRONGFUL DISCHARGE	
STATUTORY BASIS FOR CAUSE OF ACTION	
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)	FILED PROPROTHY AUG 18 2021 M. RUSSO
IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>WILLIAM H. ANDERSON</u> Papers may be served at the address set forth below.	
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY DENNIS L. FRIEDMAN	ADDRESS 1515 MARKET ST SUITE 1650 PHILADELPHIA PA 19102
PHONE NUMBER (215) 567-4600	FAX NUMBER (215) 567-7877
SUPREME COURT IDENTIFICATION NO. 19385	E-MAIL ADDRESS friedman.dennis@gmail.com
SIGNATURE OF FILING ATTORNEY OR PARTY DENNIS FRIEDMAN	DATE SUBMITTED Wednesday, August 18, 2021, 04:18 pm

FINAL COPY (Approved by the Prothonotary Clerk)

USTED ESTA ORDENADO COMPARECER EN Arbitration Hearing 1880 JFK Blvd. 5th fl. at 09:15 AM - 06/14/2022

You must still comply with the notice below. USTED TODAVIA DEBE CUPLIR CON EL AVISO PARA DEFENDERSE.

This matter will be heard by a Board of Arbitrators at the time, date and place specified but, if one or more parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties.

There is no right to a trial by jury in a decision entered by the arbitrator.

Identification No. 19385

1515 Market Street
Suite 1650
Philadelphia, PA 19102
(215) 567-4600

WILLIAM H. ANDERSON,
6903 Chester Avenue, Apt. 2
Philadelphia, PA 19142,
Plaintiff,

v.

STEP BY STEP, INC.,
Cross Valley Commons,
744 Kidder Street
Wilkes-Barre, PA 18702
Defendant.

ARBITRATION CASE, Assessment of
Damages Hearing Required

ATTORNEY FOR PLAINTIFF

18 AUG 2021 04:18 pm

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

FIRST JUDICIAL DISTRICT
CIVIL TRIAL DIVISION

August Term 2021
No. 001669

**CIVIL ACTION - COMPLAINT
EMPLOYMENT - WRONGFUL DISCHARGE**

NOTICE TO DEFEND

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

PHILADELPHIA BAR ASSOCIATION
Lawyer Referral and Information Service,
1101 Market Street, 11th Floor, Philadelphia, PA
19107-2911
(215) 238-6333

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo a partir de la fecha de la demanda y la notificacion. Hace falta assentar una comparencia escrita a en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas la corte puede decidir a favor del demandate y requiere que usted cumpia con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NOTIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA A VERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

ASOCIACION DE LICENCIADOS DE FILADELFIA
Servicio De Referencia E Informacion Legal
1101 Market Street, 11th Floor
Filadelfia, Pennsylvania 19107-2911
(215) 238-6333

Dennis L. Friedman, Esquire
Identification No. 19385
1515 Market Street
Suite 1650
Philadelphia, PA 19102
(215) 567-4600

ATTORNEY FOR PLAINTIFF

WILLIAM H. ANDERSON,
6903 Chester Avenue, Apt. 2
Philadelphia, PA 19142,
Plaintiff,

v.

STEP BY STEP, INC.,
Cross Valley Commons,
744 Kidder Street
Wilkes-Barre, PA 18702
Defendant.

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

FIRST JUDICIAL DISTRICT
CIVIL TRIAL DIVISION

August Term 2021
No. 001669

CIVIL ACTION COMPLAINT

1. Plaintiff, William H. Anderson ("**Anderson**" or "Plaintiff"), is an adult individual who resides at 6903 Chester Avenue, Apartment 2, Philadelphia, PA 19142.

2. Defendant, Step by Step, Inc. ("**Step by Step**" or "Defendant"), is a Pennsylvania corporation with its administrative offices located at Cross Valley Commons, 744 Kidder Street, Wilkes-Barre, PA 18702.

3. From November 19, 2002 through October 29, 2019, **Anderson** was employed by **Step By Step** as a direct support staff worker earning \$15.60 per hour.

4. At all times material hereto, **Anderson's** worksite was an apartment located in Philadelphia that housed two special-needs residents in need of staffing assistance to be provided by direct support staff workers on site.

5. On October 29, 2019, **Anderson** worked the overnight shift from 12am to 8am and provided direct support care to one of the two residents who, during the shift, suffered bruising to the left side of the resident's face and to the resident's left hand.

6. **Anderson** was terminated by the Employer on December 11, 2019, based on the charges of: (a) Abusing, Mistreating, neglecting clients or making false slanderous or defamatory statement about client; (b) Failure to report information relevant to client welfare to supervisory staff; and (c) Failure to comply with agency policies, procedure, standards and guidelines.

COUNT

WILLIAM H. ANDERSON v. STEP BY STEP, INC.

**Discriminatory Discharge
Based on National Origin Discrimination**

7. **Anderson** asserts that **Step by Step** unlawfully terminated his employment based on national origin discrimination, in violation of *Title VII* (42 U.S.C. § 2000e, *et seq.*), the *Pennsylvania Human Relations Act* (43 Pa. Cons.Stat. Ann. §§ 951-963) and the *Philadelphia Fair Practices Ordinance* (Phila. Code §§ 9-1100-9-1110).

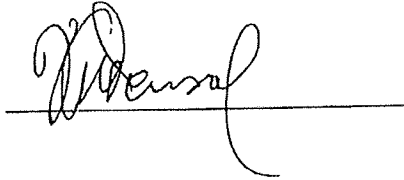
WHEREFORE, Plaintiff, William H. Anderson, demands judgment against defendant, Step by Step, Inc., in an amount not in excess of \$50,000.00.

s/ Dennis L. Friedman
Dennis L. Friedman, Esquire
Attorney for Plaintiff

VERIFICATION

I, Wm. H. Anderson, states that that I am the Plaintiff named within; that I am acquainted with the facts set forth in the foregoing CIVIL ACTION COMPLAINT; that the same are true and correct to the best of his knowledge, information and belief; and that this statement is made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Dated: 8/18/2021

A handwritten signature in cursive script, appearing to read "Wm. H. Anderson", is written over a horizontal line.